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S/21826
26 September 1990

ORIGINAL: ENGLISH

LETTER DATED 24 SEPTEMBER 1990 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

At an informal consultation of the whole of the Security Council, it was decided to inform you of the contents of a report and recommendations of the Committee established under Security Council resolution 661 (1990) concerning Jordan (S/21786) which have been approved and to ask you to proceed to implement the actions contained in this report and recommendations.

As you know, this action is taken in response to a request of the Jordanian Government for relief under Article 50 of the Charter of the United Nations from the effects resulting from implementation of the measures required under Security Council resolution 661 (1990) (S/21620, annex).

(Signed) Yuliy M. VORONTSOV
President of the Security Council

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S/21827
27 September 1990

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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

The attached letter dated 26 September 1990 from the Permanent Observer of the Republic of Korea to the United Nations was addressed to the President of the Security Council. In accordance with the request therein contained, the letter is being circulated as a document of the Security Council.

READEX FICHE

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Annex

Letter dated 26 September 1990 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the President of the Security Council

I have the honour to take the occasion of the forty-fifth session of the United Nations General Assembly to restate the position of the Government of the Republic of Korea on the question of its United Nations membership.

The opening of the session has already witnessed a welcome development in that the Principality of Liechtenstein has been admitted to United Nations membership with the blessing of all of the Member States, thus leaving only the membership of the Republic of Korea on the pending agenda of the United Nations.

What draws our attention is the fact that many speakers, at the opening session as well as during the ongoing general debate, underlined the renewed importance of the principle of universality as enshrined in the Charter of the United Nations. They reaffirmed their conviction that all States able and willing to carry out the obligations of the Charter should be admitted to this universal Organization.

Such a prevailing atmosphere within the United Nations, together with the positive international political developments taking place around the world, further dictates that the admission of the Republic of Korea to United Nations membership should no longer be delayed.

It is simply an anomaly in the 45 years of United Nations history that the Republic of Korea, fully eligible for membership, should remain outside the United Nations despite its standing in and contribution to the world community.

The Republic of Korea now maintains diplomatic relations with 142 countries out of the 160 States Members of the United Nations. It also enjoys full membership in most of the international organizations, including 15 specialized agencies of the United Nations. For all its observer status, the Republic of Korea has also contributed to the important work of the United Nations.

The Government of the Republic of Korea has long maintained a position that the admission of both Koreas to the United Nations, as an interim measure pending reunification, would help reduce tension existing between the two Koreas and open the way to turn confrontation into co-operation between the two sides within the framework of the United Nations.

The recent unification processes of the two Yemens and the two Germanies, which maintained separate membership as divided countries in the United Nations for many years, eloquently attest to such a belief and, thus, disprove the North Korean contention that separate membership would perpetuate national division. It is hard to understand why only separate membership of both Koreas in the United Nations perpetuates national division, while simultaneous diplomatic relations of both

Koreas with more than 80 countries as well as their separate membership in various United Nations bodies do not.

North Korea has recently put forth a new proposal on joint United Nations membership with a single seat, arguing that "this proposal is the only reasonable approach to the solution of admission to the United Nations".

During a recent officials' meeting between the two Koreas, North Korea further proposed that both Koreas apply for joint United Nations membership with a single seat before the end of this year. The North Korean formula contains, inter alia, (a) alternating representation between the two Korean sides on a monthly basis or at mutually agreed intervals; (b) joint actions on matters of agreement but abstensions on issues which cannot be agreed upon.

One can easily conclude that the North Korean formula is unprecedented, as even North Korea admits, and impracticable. Among other things, it is incompatible with the provisions of the Charter of the United Nations. Regardless of North Korea's wishes, any agreement on single seat membership before unification between the two Koreas will not amount to the formation of a "State" as defined in the Charter and in generally accepted international practice. Furthermore, it is impossible to envisage any workable agreement on a wide range of complicated issues between the two sides, which have pursued different policies and interests for more than 45 years.

The Government of the Republic of Korea attaches great importance to the South-North dialogue. On any inter-Korean issues, it is willing to engage in dialogue with North Korea. This is the reason why we are making an effort in good faith to keep the first ever North-South Prime Ministers' meeting going.

However, it is necessary to draw a clear distinction between inter-Korean issues and the issue of United Nations membership. While all inter-Korean issues - political, military, economic, humanitarian, etc. - are to be resolved between the two Koreas, United Nations membership is essentially a matter between States Members of the United Nations and the States wishing to join.

If the United Nations is to wait until North Korea agrees to the admission of the Republic of Korea to United Nations membership, it will amount to giving North Korea the power to decide on the issue of the Republic of Korea's United Nations membership.

While the Republic of Korea seeks its admission to United Nations membership, desirably together with North Korea, it is entirely up to North Korea whether or not to join the United Nations. However, should North Korea, for any reason, choose to stay outside this Organization, this choice should not hinder in any way the entry of the Republic of Korea into the United Nations.

As the current session of the General Assembly progresses, the legitimate cause of Korea's United Nations membership will receive wide-ranging support from States Members of the United Nations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hong-Choo HYUN
Ambassador

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S/21828
26 September 1990

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication that he has received from the President of the Council of the International Civil Aviation Organization.

Annex

Letter dated 13 September 1990 from the President of the Council of the International Civil Aviation Organization addressed to the Secretary-General

Further to my letter of 7 September 1990 concerning the seizure of the fleet of Kuwait Airways aircraft by Iraq, I am pleased to send herewith for your information the text of my memorandum PRES AK/229 to Representatives on the Council of ICAO on the situation in the Gulf area. This memorandum reproduces my statement in the closed meeting of the Council on 4 September 1990.

(Signed) Assad KOTAITE

Enclosure 1

Memorandum dated 12 September 1990 from the President of the Council of the International Civil Aviation Organization addressed to the representatives on the Council

On 4 September 1990 I made a statement in the closed part of the 31st Meeting of the Council's resumed 130th Session under "Other Business" on the situation in the Gulf area.

Since several Representatives requested that the text of my statement be made available, I am circulating the verbatim record of that statement for your information.

The texts of the United Nations Security Council resolutions referred to in my statement are available in the Legal Bureau.

I will keep the Representatives informed of any further developments.

(Signed) Assad KOTAITE

Enclosure 2

Statement by the President of the Council on the situation in the Gulf area

(Council, 130/31 (Closed), 4 September 1990 at 1600 hours)

PRESIDENT: You are aware of the serious crisis in the Gulf area. The Organization has been in close contact with the United Nations and I was personally in regular contact with ICAO Headquarters in Montreal and with the regional offices concerned, as well as with the First Vice-President of the Council, Mr. F. A. Neal (Representative of the United Kingdom on the Council). I was prepared to return to Headquarters at the shortest notice. Since the beginning, ICAO was monitoring the situation from the international civil aviation point of view and took energetic steps to develop and co-ordinate contingency measures and to make flexible and responsive arrangements to allow international civil flights to operate with a minimum of penalty through and around the area. Of particular importance are the inter-regional operations between Europe, the Middle East and the Far East. The traffic continues to proceed without disruption. Therefore, I would like to brief the Council about the events and action taken by the United Nations Security Council, as well as on the air navigation and operational aspects of the situation and the measures taken by ICAO to prepare appropriate contingency plans to prevent the possible disruption of the traffic flows. After the Iraqi invasion of Kuwait on 2 August 1990, the United Nations Security Council adopted, without opposition, a series of Resolutions as follows:

1. Resolution 660 of 2 August 1990 which condemns the Iraqi invasion and demands immediate and unconditional withdrawal of all Iraqi forces;

2. Resolution 661 of 6 August 1990 which decided to impose an "embargo" on all commodities and products originating from or destined for Iraq or Kuwait;

3. Resolution 662 of 9 August 1990 declaring that the purported "comprehensive and eternal merger" declared by Iraq with respect to Kuwait has no legal validity and is considered null and void. The same Resolution calls upon States, international organizations and specialized agencies not to recognize that annexation and to refrain from any action or dealing that might be interpreted as an indirect recognition of the annexation;

4. Resolution 664 of 18 August 1990 which demands that Iraq permit and facilitate immediate departure from Kuwait and Iraq of all nationals of third countries and not jeopardize the safety, security or health of such nationals;

5. Resolution 665 of 25 August 1990 addressing the enforcement of the embargo by the maritime forces which are authorized "to use such measures commensurate to the specific circumstances" to halt all inward and outward maritime shipping and to inspect and verify their cargoes and destinations and to ensure implementation of Resolution 661.

The Resolutions listed above have been adopted under Chapter VII of the United Nations Charter (Articles 39-51), under which the Security Council decides on "action" arising out of "threat to the peace, breach of the peace, or act of aggression" (Article 39). Under Articles 24, paragraph 1, and 25 of the Charter, the Members of the United Nations are legally obliged to accept and

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carry out the decisions of the Security Council and they agree that in this context the Security Council "acts on their behalf". So far, none of the Security Council Resolutions directly or indirectly address the issue of international civil aviation. Under Article VII of the Agreement between the United Nations and ICAO of 1947 (Doc 7970), ICAO is obliged to render "such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security". So far, no such "request" has been addressed to ICAO.

The Office of the President received a letter dated 21 August 1990 from the Permanent Mission of the State of Kuwait to the United Nations in New York, a copy of which is being distributed to the Representatives on the Council under the cover of my memorandum AK/227 of today's date. In that letter, a request is made only to notify Contracting States that 15 aircraft belonging to Kuwait Airways have been seized by Iraqi forces and States are requested to help prevent Iraq from using those aircraft. Under Resolution 662 of 9 August 1990, the Security Council calls on States and specialized agencies to refrain from any action or dealing that might be interpreted as an indirect recognition of the annexation of Kuwait by Iraq. It is incumbent on ICAO Member States and the Organization itself to make sure that any change in the registration of the Kuwait aircraft is not recognized in full harmony with Article 18 of the Convention on International Civil Aviation which does not permit dual registration. It would be desirable in this particular instance to circulate to Contracting States the communication received from the Permanent Mission of Kuwait to the United Nations in New York.

On the operational and air navigation aspects, I have the following information. On 2 August 1990, the Iraqi airspace and airports were declared closed for all operations by NOTAM 045/90 issued by Baghdad/Saddam International NOTAM Office. On the same day, Jeddah area control centre (Saudi Arabia) assumed control along the segment of ATS Route R219 within part of the Kuwait control area which extends over Saudi Arabian territory (NOTAM A0731/90) for which the responsibility of providing air traffic services had previously been delegated by Saudi Arabia to Kuwait. It should be noted that ATS Route R219 carries one of the major traffic flows through the Middle East region. On 8 August 1990, Saudi Arabia closed until further notice ATS Route R219 between Dhahran and Turaif and directed traffic from Dhahran via ATS Route A1, Hail, ATS Route G51, Al Shigar, Guriat or H55 to Turaif and vice versa while traffic between Cairo and Bahrain flight information regions (FIRs) was to use ATS Route W726 (between Luxor and Dhahran). Also, a minimum longitudinal separation of 20 minutes was to be applied between traffic on the same route and at the same level within Jeddah FIR. ICAO initiated action on 8 August 1990 to establish a contingency co-ordinating team, led by C/RAC/SAR, of key personnel in Headquarters and ICAO regional offices in Bangkok, Cairo, Nairobi and Paris.

The objective of the co-ordinating team was to facilitate arrangements for the traffic flow through the Middle East (MID) region and outside the region as necessary to provide alternative routings in the hypothetical case of disruption of the main traffic flow through the area. As I said, no disruption has occurred so far and the traffic is proceeding as usual. Through the ICAO aeronautical fixed telecommunication network (AFTN) terminal, selected States were requested to forward NOTAMs pertaining to the safety of civil aviation in the area concerned. Additionally, they were asked for information on the closure of airspace or routes and rerouting arrangements.

On 9 August 1990, the United States requested that, in accordance with Annex 15, the aeronautical information service authorities and ATS authorities of Bahrain, India, Iraq, Kuwait, Oman, Pakistan, Saudi Arabia and the United Arab Emirates promulgate updated information concerning activities of the United States military forces potentially hazardous to civil aircraft and affecting the safety of air navigation in the respective FIRs.

The area of military operations as specified by the United States was 20 degrees north latitude in the area of the Arabian Sea, Gulf of Oman, Strait of Hormuz. Subsequently, provider States in the area promulgated the information provided by the United States. On 10 August 1990, the United Arab Emirates declared temporarily closed three ATS routes over the Gulf within Emirates FIR (A55, V400 and B55) and indicated that the flight level 310 was the maximum level available within Emirates FIR. On 13 August 1990, the maximum flight level available for traffic via Abu Dhabi was raised to 350. On 15 August 1990, Oman closed a segment of ATS Route R219 over the Gulf of Oman. Overflying traffic was rerouted over land via Seeb, resulting in only a minor increase in track mileage. On 17 August 1990, the United States informed appropriate AIS and ATS authorities that United States forces were also operating north of 22 degrees north latitude in the area of the Red Sea, and that the identification procedures used north of 20 degrees north latitude in the Arabian Sea, Gulf of Oman, Strait of Hormuz and the Gulf now also applied to the Red Sea area.

A number of provider States in the region were requested by the United States to issue NOTAMs reflecting the information provided concerning the expanded area of military operations and identification procedures. Subsequently, States in the area issued NOTAMs on the subject. Provider States in the area have ensured the safety of civil air traffic by rerouting traffic as required. Timely co-ordination with provider States was deemed necessary.

Accordingly, ICAO has explored the capability of alternative routings around the Gulf area to absorb an increase in traffic. To this end, three alternative routings were considered with a view to identifying any necessary measures to cope with an increase in traffic volume along these routings. All provider States concerned were consulted through the accredited ICAO regional offices. In addition, liaison with IATA was maintained on the subject. In the process, it was found that limited capacity was available in the Islamic Republic of Iran to accommodate additional traffic.

Furthermore, the regular procedures for overflight permission applicable in several affected States were expected to cause some difficulties in case of the need for rerouting of traffic on short notice.

In close co-ordination with IATA, and through the regional offices concerned, specific proposals are being developed to alleviate the "bottlenecks". These proposals include suggestions for additional "bypass" contingency routes and possibly a traffic orientation scheme to achieve optimum utilization of the available routings. Nothing so far has happened. We only prepare those things in case that we need to introduce contingency plans. As I mentioned, with the co-operation of the States the traffic has so far continued without disruption. Sometimes there are some reroutings but they have never affected the flow of the traffic.

The last thing which I would like to mention concerns the inter-regional routing. As shifting traffic flows create exceptional and unforeseen challenges also in parts of the European region, efforts are currently underway to establish co-ordinated temporary off-load routes on short notice, with a minimum of formality, such as through the Mediterranean Sea. In this way, it is possible to manage the high density of summer season tourist traffic in Europe with as little as possible disturbance to the travelling public. The co-operation of the States concerned and the international organizations involved is close, flexible and highly commendable.

I will keep the Council informed of any development.

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26 September 1990

ORIGINAL: ENGLISH

LETTER DATED 25 SEPTEMBER 1990 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED REPUBLIC OF TANZANIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to refer to your notes SCPC/7/90 (1) of 8 August 1990 and SCPC/7/90 (1-2) of 27 August 1990 relating to Security Council resolution 661 (1990) and to convey the following reply from the Government of the United Republic of Tanzania:

> The United Republic of Tanzania has taken note of resolution 661 (1990), in particular of paragraphs 3, 4 and 5 thereto and is pleased to report that it has fully complied with its provisions. Since the adoption of the resolution there have been no activities between Tanzania and any of the two countries or involving Tanzanian nationals or institutions with nationals or institutions of the two countries which required the action of the United Republic of Tanzania in compliance with resolution 661. In regard to the future, appropriate steps have been taken to ensure continued compliance with the resolution.

I should be grateful if you would kindly forward the information provided in this communication to the Committee established by the Security Council to monitor the implementation of Security Council resolution 661 (1990).

(Signed) A. B. NYAKYI
Ambassador

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S/21830
27 September 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 26 SEPTEMBER 1990 FROM THE PERMANENT REPRESENTATIVE OF YEMEN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I should like to request an urgent meeting of the Security Council to consider the current situation in the occupied Palestinian territory.

(Signed) Abdulla Saleh AL-ASHTAL
Ambassador
Permanent Representative
to the United Nations

90-24195 1847f (E)

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Security Council

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S/21831
27 September 1990
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 25 SEPTEMBER 1990 FROM THE PERMANENT REPRESENTATIVE OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In reply to your note No. SCPC/7/90 (1) of 18 August 1990, I have the honour to inform you of the position of the Government of the People's Republic of the Congo, expressed on 28 August 1990, with regard to the item entitled "The situation between Iraq and Kuwait". I should be grateful if you would have the text of this letter and its annex circulated as documents of the Security Council.

(Signed) Martin ADOUKI
Ambassador
Permanent Representative

Annex

Declaration of the Congolese Government of 28 August 1990

The Government of the People's Republic of the Congo is deeply concerned about the grave crisis that is convulsing one of the most explosive regions of the world, the Middle East, and about the escalation of the conflict following the annexation of the State of Kuwait by the Republic of Iraq.

The Government of the People's Republic of the Congo will comply with the provisions of Security Council resolution 661 (1990) concerning the situation.

The Government of the People's Republic of the Congo considers that measures not involving the use of armed forces should be explored in order to give effect to this resolution, as well as any other diplomatic measures, including regional ones, that are necessary for its implementation in accordance with the Security Council's intentions.

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S/21832
27 September 1990

ORIGINAL: ENGLISH

LETTER DATED 26 SEPTEMBER 1990 FROM THE PERMANENT REPRESENTATIVE OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In continuation of my letter No. P.19-5/90 dated 10 September 1990 (S/21734), I have the honour to inform you of the following specific measures taken by the Government of Pakistan to implement resolution 661 (1990) of the Security Council:

(a) All the Ministries and the Departments of the Government of Pakistan have been directed to strictly implement the measures envisaged in resolution 661 (1990).

(b) Exports from Pakistan to Iraq and occupied Kuwait have been stopped. Similarly, all imports from Iraq and occupied Kuwait have been prohibited.

(c) Orders have been issued not to remit any financial payments to Iraq and occupied Kuwait. All payments on account of servicing of loans from Kuwait have been stopped.

(d) Pakistan International Airline (PIA) has stopped all operations to Iraq and occupied Kuwait sectors. Consequently, the question of PIA trans-shipping any commodities or products to or from Iraq and Kuwait does not arise.

(Signed) Jamsheed K. A. MARKER
Ambassador and Permanent Representative

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Security Council

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S/21833
28 September 1990

ORIGINAL: ENGLISH

LETTER DATED 24 SEPTEMBER 1990 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council agreed, during their consideration in consultations on 31 July 1990 of the report of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) (S/21406 and Add.1 and Corr.1) on the occasion of the renewal of the mandate of UNIFIL, to request that a review of the scale and deployment of UNIFIL be carried out by the Secretariat in light of the performance by the Force of its functions since its establishment in 1978 and with a view to fully implementing resolution 425 (1978). The Council is mindful of the great benefit that the presence of UNIFIL continues to contribute to Lebanon. The members of the Council also agreed that the review should be carried out during the interim period of six months for which the mandate of the Force was extended on 31 July 1990, that is, prior to the expiration on 31 January 1991 of the current mandate.

The members of the Council were of the view that such a review would accord with the spirit of the statement made by the President on behalf of the Council (S/21323) at the 2924th meeting, held on 30 May 1990, in connection with the Council's consideration of the item entitled "United Nations peace-keeping operations", and would provide the Council with a basis on which to assess whether existing arrangements for UNIFIL should be maintained or changed.

(Signed) Yuli M. VORONTSOV
President of the Security Council

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28 September 1990
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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 35 and 153
THE SITUATION IN THE MIDDLE EAST
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 27 September 1990 from the Permanent Representatives of Italy and Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General

We have the honour to transmit the text, in English, French and Russian, of the Joint Statement of the European Community and the Union of Soviet Socialist Republics on the Middle East, issued on 26 September 1990 at the meeting of the Ministers for Foreign Affairs of the Twelve States members of the European Community and the Minister for Foreign Affairs of the Union of Soviet Socialist Republics (see annex).

We should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda items 35 and 153, and of the Security Council.

(Signed) Viery TRAXLER
Permanent Representative
of Italy
to the United Nations

(Signed) Yuli M. VORONTSOV
Permanent Representative
of the Union of Soviet Socialist
Republics to the United Nations

ANNEX

Joint statement of the European Community and the Union of Soviet Socialist Republics, issued on 26 September 1990 in New York

The European Community and its member States and the Union of Soviet Socialist Republics, concerned that unresolved situations of conflict in the Middle East and the Gulf endanger international peace and security, generate new crises, spur the regional arms race and lead to an escalation of violence and extremism, have decided to adopt the following statement.

I. The Gulf crisis has to be urgently resolved. The invasion and military occupation of Kuwait, a sovereign and independent State, by Iraq have been condemned by the whole international community. These acts must not be tolerated, since they violate fundamental principles of the Charter of the United Nations and international law and create a new, dangerous source of tension in the region.

Proceeding from the principles of inadmissibility of the use of force to settle disputes between States and of the respect for the right of every State to safeguard its national independence and territorial integrity, the European Community and its member States and the Soviet Union demand that Iraq strictly comply with the resolutions of the United Nations Security Council and immediately and unconditionally withdraw its forces from Kuwait.

They express satisfaction at the high degree of consensus among all members of the United Nations Security Council and the international community as a whole concerning the need to put an end, as soon as possible, to the invasion and to restore international legality.

They believe that such a consensus needs to be preserved in order for a political solution of the crisis to be achieved. The condition for this outcome is the full compliance with the embargo decided upon by the United Nations. The European Community and its member States and the Soviet Union are determined to continue to adhere to the sanctions decided by the Security Council and call upon all other States to act in the same way. They are also prepared to consider additional steps consistent with the Charter of the United Nations.

Time does not work for the aggressor. It will only strengthen the determination of the international community to repeal the aggression and to restore fully the sovereignty of Kuwait.

The European Community and its member States and the Soviet Union urge the Iraqi authorities to allow immediately all foreign citizens who so desire to leave Iraq and Kuwait. They hold the Iraqi Government responsible for their safety.

II. The European Community and its member States and the Soviet Union are also determined to multiply their efforts aimed at resolving the other conflicts of the region, such as the Arab-Israeli conflict, the Palestinian problem and the

situation in Lebanon. The European Community and its member States and the Soviet Union stress that they remain committed to the attainment of a just, comprehensive and lasting peace in the region, in compliance with the relevant resolutions of the United Nations Security Council.

Wishing to contribute to the security and welfare in the area, the European Community and its member States and the Soviet Union confirm their readiness to co-operate with the countries of the area in establishing a comprehensive structure in the region and in drawing up to that end a set of rules capable of fostering peace, tolerance, stability, economic co-operation and development. They will consult each other in order to achieve these objectives.

The European Community and its member States and the Soviet Union believe that practical measures should be taken, concurrently and in conjunction with the peace efforts in the Middle East, to build a climate of confidence aimed at resolving the problems of the whole area, to curb the arms race and to prevent the proliferation of weapons of mass destruction through adherence to the appropriate international agreements as well as through specific regional measures.

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2 October 1990
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ORIGINAL: FRENCH

LETTER DATED 1 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVES OF CHINA, FRANCE, THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

We have the honour to transmit to you herewith the statement issued following the meeting which you had on 28 September 1990 with our respective Ministers for Foreign Affairs. We should be grateful if you would have the text of this statement circulated as a document of the Security Council.

(Signed) Pierre-Louis BLANC
Permanent Representative of France
to the United Nations

(Signed) LI Daoyu
Permanent Representative of China
to the United Nations

(Signed) Thomas R. PICKERING
Permanent Representative of the
United States of America to the
United Nations

(Signed) Yuli M. VORONTSOV
Permanent Representative of the
Union of Soviet Socialist Republics
to the United Nations

(Signed) David HANNAY
Permanent Representative of
the United Kingdom of Great
Britain and Northern Ireland
to the United Nations

Annex

[Original: Chinese, English, French and Russian]

Statement issued by the Ministers for Foreign Affairs of the five permanent members of the Security Council following a meeting with the Secretary-General of the United Nations on 28 September 1990

On 28 September 1990, the Ministers for Foreign Affairs of the five permanent members of the Security Council were the guests at a luncheon given by the Secretary-General of the United Nations, H.E. Mr. Javier Perez de Cuellar. Taking part were the Minister of Foreign Affairs of the People's Republic of China H.E. Mr. Qian Qichen; the Minister of State, Minister of Foreign Affairs of France H.E. Mr. Roland Dumas; the Minister of Foreign Affairs of the Union of Soviet Socialist Republics H.E. Mr. Eduard A. Shevardnadze; the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland H.E. Mr. Douglas Hurd; and the Secretary of State of the United States of America H.E. Mr. James A. Baker III.

The Ministers welcomed the considerable successes achieved by the United Nations over the past year, in particular in Namibia, and the progress made towards settlement of conflicts in Central America, Western Sahara and Afghanistan. They agreed that the United Nations faced important new opportunities and challenges. They stressed the crucial contribution which the United Nations could make in this new era of intensified co-operation and interaction among States.

They paid particular attention to the most serious crisis the international community is facing now, caused by Iraq's invasion of Kuwait.

The Ministers affirmed that this aggressive action must not be tolerated. They condemned the continuing occupation of the State of Kuwait and the increasing persecution of its citizens.

They welcomed, in this regard, the firm and decisive role played by the United Nations and the good offices of the Secretary-General. They reaffirmed their support for the relevant resolutions adopted by the Security Council since the Iraqi invasion of Kuwait and re-emphasized their commitment to seek together, in full compliance with them, a peaceful solution of the crisis.

They demanded that Iraq comply with the will of the international community and withdraw unconditionally and without delay from Kuwait, thus restoring Kuwait's full sovereignty under the authority of its legitimate Government, free all hostages held in Iraq and Kuwait, allow all foreign nationals wishing to leave Iraq or Kuwait to do so and respect the immunity of diplomatic personnel and the inviolability of diplomatic premises in Kuwait.

They called upon all States to apply strictly the relevant resolutions of the Security Council.

The Ministers expressed their deep concern at the aggravation of tensions in the Near East. They reaffirmed their determination to support an active negotiating process in which all relevant parties would participate, leading to a comprehensive, just and lasting peace. They agreed that such negotiations should be based on resolutions 242 (1967) and 338 (1973) of the Security Council and should take into account the right to security for all States in the region, including Israel, and the legitimate rights of the Palestinian people.

The Ministers also reaffirmed their strong commitment to the sovereignty, independence, unity and territorial integrity of Lebanon and renewed their support for the Taïf agreement as the basis for the resolution of the Lebanese crisis.

Finally, the Ministers welcomed the agreement by the Cambodian parties to form the Supreme National Council as well as their acceptance in its entirety of the framework for a comprehensive settlement of the Cambodia conflict worked out by the five permanent members and the endorsement of that framework by the Security Council. They called on all Cambodians to intensify their efforts to achieve national reconciliation and reiterated, as stated in the framework document, that should Prince Norodom Sihanouk be elected by the Supreme National Council as its President, the five would welcome that decision.

They expressed the view that the Paris International Conference on Cambodia should be reconvened at the earliest possible date to elaborate and adopt a comprehensive political settlement, which will include an important role for the United Nations.

The Ministers stressed the importance of a further development of the ability of the Security Council to respond quickly to challenges to international peace and security. They reaffirmed their determination to continue to work together and with the other members of the Security Council as well as in co-operation with the Secretary-General for the prevention and resolution of international conflicts.

They noted the importance of the meeting of the Security Council at the level of Foreign Ministers on 25 September 1990 and expressed their readiness to participate in such meetings should the need arise.

They expressed again their deep appreciation to the Secretary-General for his untiring efforts with regard to the cause of international peace and security. They thanked him for the invitation to the meeting, which they viewed as a very useful and positive one, and agreed to continue their consultations.

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Security Council

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GENERAL

S/21836
2 October 1990

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

The attached letter dated 1 October 1990 from the Permanent Observer of the Democratic People's Republic of Korea to the United Nations was addressed to the President of the Security Council. In accordance with the request therein contained, the letter is being circulated as a document of the Security Council.

Annex

Letter dated 1 October 1990 from the Permanent Observer of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

I have the honour to clarify once again the position of the Democratic People's Republic of Korea on the dialogue of the north and the south of Korea and United Nations membership, which are common concerns of the Member States at the forty-fifty session of the United Nations General Assembly.

At the general debate a number of speakers welcomed the holding of the north-south high-level talks and sincerely wished for success in the efforts to bring about a new breakthrough for the solution of peace and the peaceful reunification of the Korean peninsula.

The Democratic People's Republic of Korea values the hard-won north-south high-level talks led by the Prime Ministers and will spare no efforts to reach a compromise while promoting areas of commonness and narrowing any differences.

The first north-south high-level talks held from 4 to 7 September at Seoul gave both the north and the south a clear understanding of each other's positions, thereby making it fully feasible to find ways in which they can narrow down the differences and yet come to an agreement at the second talks slated for 16 to 19 October at Pyongyang.

The admission of our country to the United Nations is a matter of the internal affairs of our nation and is directly related to the question of reunification.

No one can address the question of admission to the United Nations in isolation from the question of reunification in circumstances where the country and the nation are in a state of temporary division; the country's reunification is therefore a primary task.

If the north and the south fail to negotiate and settle the question of United Nations membership in a way conducive to reunification it will inevitably cause confrontation between fellow countrymen in the international forum and then eventually make the talks meaningless.

Accordingly, the Democratic People's Republic of Korea has maintained the position that the north and the south should first of all achieve an agreement on the question of United Nations membership and submit the agreed result to the United Nations and it suggested from that position that the question of United Nations membership should appear as a top agenda item for discussion at the north-south high-level talks.

The south Korean authorities also admitted that the question of United Nations membership of our country is an internal question of Korea.

The south Korean authorities suggested in 1987 discussing the question of United Nations membership at the north-south talks led by the Foreign Ministers and recently agreed to deal with it at the north-south high-level talks.

In the light of the urgency and importance of the question of United Nations membership, both the north and the south came to an agreement at the first north-south high-level talks that delegate-level talks be held separately in an attempt to reach a common position on admission to the United Nations.

Accordingly, on 18 September the north-south delegate-level talks on the question of United Nations membership were held.

It helps to open up a favourable phase in the fair settlement of the question of United Nations membership through the common position of the north and the south.

The Democratic People's Republic of Korea believes that joint admission to the United Nations of the north and the south with a single seat represents a reasonable solution to United Nations membership conducive to reunification.

This proposal for joint admission to the United Nations gave due consideration to the stand of the south calling for United Nations membership even before reunification.

Joint United Nations membership of the north and the south with a single seat is in accordance with the Charter of the United Nations, whose main aims are peace and security.

The United Nations has shown so far great flexibility in relation with the question of its membership whenever it appears favourable to peace and security.

Joint admission to the United Nations of the north and the south with a single seat would be accepted without contradicting the principle of membership as regulated in the Charter of the United Nations.

If the north and the south are sincere in their negotiation, with good will for reunification, the legal substance of joint United Nations membership could easily be arranged and the Security Council and the General Assembly of the United Nations will support whatever both the north and the south agree, as shown in the settlement of the Cambodian seat.

The Democratic People's Republic of Korea is convinced that joint admission to the United Nations of the north and the south is a reasonable approach to the settlement of United Nations membership; however it does not hold it as an absolute one. And it considers there may be various solutions to United Nations membership in conformity with reunification and, therefore, by no means precludes discussion of them.

As already clarified time and again, the Democratic People's Republic of Korea desires to enter the United Nations and make a contribution to its activities.

My Government expresses its willingness to show flexibility in the negotiation with the south side on any solutions to United Nations membership if they do not stand in the way of reunification.

I would like to express my expectation that the States Members of the United Nations will help to promote the ongoing north-south dialogue and continue to support the position of the Democratic People's Republic of Korea to settle through dialogue the question of United Nations membership conducive to reunification.

I request this letter be circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador

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GENERAL

S/21837
3 October 1990

ORIGINAL: ENGLISH

LETTER DATED 2 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF CZECHOSLOVAKIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to reiterate again that the Czech and Slovak Federal Republic fully supports and strictly complies with all the Security Council resolutions concerning the situation between Iraq and Kuwait. The Government, as stated before, has undertaken the corresponding steps and measures aimed at ensuring that all Czech and Slovak institutions and organizations fully adhere to the provisions of those resolutions.

However, this position in support of the international solidarity against the flagrant violation of the Charter of the United Nations and of other international legal norms by Iraq entails a considerable economic impact on the Czechoslovak economy. At a time when my country is following the path of democratic social transformation and fundamental economic reforms, the increasing losses incurred in the wake of the implementation of Security Council resolution 661 (1990) constitute a threat to the successful transition to the principles of a market economy.

As stated in the letter of the Minister for Foreign Affairs, Mr. Jiří Dienstbier (see S/21750), the overall losses are estimated at about $US 2 billion.

1. Direct economic loss

A. The freezing of outstanding claims against Iraq as of 31 December 1990 in the total amount of $US 400 million.

A contract has already been concluded with Iraq for oil deliveries in 1990 as a compensation for outstanding claims in the amount of $US 44 million. Besides, the Iraqi side was willing to compensate the remaining outstanding claims by gradual oil deliveries (in 1990 in the amount of an additional $US 100 million).

B. Other claims, which will become payable in subsequent years, in the amount of $US 150 million.

C. Suspension of the contracts already in effect, as follows:

- Engineering plant in Daura, in the amount of $US 82 million,
- Isomerization plant in Baiji, in the amount of $US 18 million,
- Ceramics plant in Ramadi, in the amount of $US 42 million,
- Oil refinery in Stred, in the amount of $US 185 million,
- Tractor parts manufacturing plant, in the amount of $US 45 million,
- Other contracts in the amount of $US 20 million.

The above combined loss incurred by Czechoslovakia amounts to $US 392 million (note: most equipment for the aforementioned ventures has already been produced).

D. Other unspecified direct loss as a result of open contracts being at an advanced stage of preparation, in the approximate amount of $US 300 million.

The total direct loss for the Czechoslovak economy amounts to more than $US 1.1 billion.

2. Indirect economic loss

A. An increase of oil prices by $US 1 per barrel represents a loss of $US 100 million per year. Thus, the estimated minimum loss would be between $US 400 million and $US 600 million per year for the Czech and Slovak Federal Republic.

B. The estimated internal impact (including possible close-outs of production enterprises) on the Czechoslovak economy amounts approximately to $US 400 million per year.

Thus the total indirect loss incurred by the Czechoslovak economy amounts approximately to $US 1 billion.

Czechoslovakia expects that the Security Council Committee established by resolution 661 (1990) will work out and submit to the Security Council in a very short time recommendations that will help partially to eliminate in a concrete manner the losses of the most affected countries.

I should be grateful if the text of this letter could be circulated as a document of the Security Council.

(Signed) Eduard KUKÁN
Ambassador
Permanent Representative

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Distr.
GENERAL

S/21838
4 October 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 3 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF INDONESIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Republic of Indonesia to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the former's note dated 21 August 1990 (S/21578) concerning the implementation of resolution 661 (1990) adopted by the Security Council on 6 August 1990, has the honour to transmit herewith additional information on the measures taken by the Indonesian Government.

It would be greatly appreciated if the enclosed communication could be circulated as a document of the Security Council.

Annex

Measures taken by the Indonesian Government to implement Security Council resolution 661 (1990)

1. The Government of Indonesia established an interdepartmental task force to study the impact of the occupation of Kuwait by Iraq on the Indonesian economy on 10 August 1990. The Task Force is under the chairmanship of the Co-ordinating Minister for Economic, Financial and Industrial Affairs and is composed of senior officials from the Ministries of Foreign Affairs, Trade, Finance, Agriculture, Industry and Communications.

2. The functions of this task force, inter alia, are to make an inventory of all trade and service transactions between Indonesia and Iraq and Indonesia and Kuwait; and to give directives to the various ministries and agencies in Indonesia in order to prohibit imports from and exports to Iraq and Kuwait in compliance with United Nations Security Council resolution 661 (1990).

3. With regard to paragraph 3 (a) of that resolution, the Indonesian Government has issued directives to prohibit the import of goods and services from Iraq and Kuwait either directly or through third countries. If circumstances arise where there are doubts concerning country of origin, the Minister concerned is granted authority to decide whether or not the goods in question indeed originate from Iraq or Kuwait.

4. With regard to paragraph 3 (c) of the said resolution, the Government of the Republic of Indonesia has also complied by issuing directives to prohibit the export of goods from Indonesia to Iraq and Kuwait either directly or through third countries except for medical needs and food for humanitarian reasons. The Minister concerned is given authority to decide upon any questions concerning the destination of such goods and services.

5. With regard to paragraph 4 of the resolution, the Government of Indonesia has taken the necessary steps to prevent the flow of funds to Iraq and Kuwait in accordance with the provision of Security Council resolution 661 (1990).

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S/21839
4 October 1990

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication which he has received from the President of the Council of the International Civil Aviation Organization (ICAO).

Annex

Letter dated 2 October 1990 from the President of the Council of the International Civil Aviation Organization addressed to the Secretary-General

Further to my letters of 7 and 13 September 1990 (S/21796 and S/21828), I am pleased to send herewith for your information the text of my memorandum PRES AK/234 to representatives of the Council of the International Civil Aviation Organization (ICAO) on the situation in the Gulf area, in particular with reference to United Nations Security Council resolution 670 (1990). This memorandum reproduces my statement in the closed meeting of the Council on 1 October 1990.

(Signed) Assad KOTAITE

Enclosure 1

Memorandum dated 2 October 1990 from the President of the Council of the International Civil Aviation Organization addressed to the representatives on the Council

To: Representatives on the Council

From: President of the Council

Subject: Situation in the Gulf area

On 1 October 1990, I made a statement in the closed part of the 1st meeting of the 131st session of the Council under "Other business".

At the request of several representatives, I am circulating the text of my statement for your information.

(Signed) Assad KOTAITE

Enclosure 2

Statement by the President of the Council on 1 October 1990

(Council, 1st meeting of the 131st session)

On 4 September 1990, in the closed part of the 31st meeting of the Council's resumed 130th session, I made a statement under "Other business" on the situation in the Gulf area. At the request of several representatives, the verbatim record of my statement was distributed for information in my memorandum PRES AK/229 of 12 September 1990. At that time, I promised to keep the representatives informed of further developments. My statement addressed the events and actions taken by the United Nations Security Council, the air navigation and operational aspects of the situation and the action taken by ICAO to prepare appropriate contingency measures to prevent the possible disruption of the traffic flow. I also informed the Council of the request by the Government of Kuwait to notify Contracting States that 15 aircraft belonging to Kuwait Airways had been seized by Iraqi forces and States were requested to help to prevent Iraq from using those aircraft. It was in full conformity with Security Council resolution 662 (1990) of 9 August 1990 that this letter was circulated on 14 September 1990 to ICAO Contracting States since that resolution called specifically on all States and specialized agencies to refrain from any action or dealing that might be interpreted as an indirect recognition of the annexation of Kuwait by Iraq. Furthermore, I received, on 17 September 1990, after the State letter had been sent out, another letter from the authorities of Kuwait giving more information and technical data regarding the 15 Kuwait Airways aircraft concerned.

The new developments in the situation include, in particular, Security Council resolution 670 (1990) adopted on 25 September 1990. The text of that resolution was distributed immediately for information of the representatives with my memorandum PRES AK/231 of 26 September 1990.

Resolution 670 (1990) directly addresses civil aviation. In adopting this resolution, the Security Council expressly acted under Chapter VII of the Charter of the United Nations and it is unconditionally binding on all States Members of the United Nations by virtue of Article 25 of the Charter. Furthermore, the resolution specifically refers to Article 103 of the Charter, emphasizing that the obligations of States under the resolution take precedence over any other obligations under international agreements or contracts - a point further emphasized in paragraph 3 of the resolution.

The essential point of resolution 670 (1990), in paragraph 3, is that States are obliged to deny permission to any aircraft to take off from their territory if the aircraft would carry any cargo to or from Iraq or Kuwait (except humanitarian supplies permitted under resolution 661 (1990)). Furthermore, under paragraph 4, States are obliged to deny permission to any aircraft destined to land in Iraq or Kuwait to overfly its territory unless the aircraft lands in its territory to permit inspection to ensure that there is no cargo on board in violation of resolution 661 (1990). States are also obliged, under paragraph 5, to take all

necessary measures to ensure that any aircraft registered in its territory or operated by an operator who has his principal place of business or permanent residence in its territory complies with resolution 661 (1990) and 670 (1990). Under paragraph 7, the resolution calls upon all States to co-operate in taking the necessary measures to ensure the effective implementation of the resolution - consistent with international law, including the Chicago Convention. The practical meaning of this provision is that any enforcement or other "necessary measures" have to refrain from the use of weapons against civil aircraft in flight; this rule is a part of general customary international law and has been only expressly recognized in a codified form in article 3 bis of the Chicago Convention; this obligation therefore exists independent of the entry into force of the Protocol of 1984 introducing the new article 3 bis in the Chicago Convention.

All flights must be inspected before departure or upon required landing to make sure that they do not carry cargo banned under resolution 661 (1990).

Paragaph 11 of resolution 670 (1990) affirms that the specialized agencies are required to take such measures as may be necessary to give effect to that resolution and resolution 661 (1990). This is a direct task for ICAO, in particular when read together with article VII of the Agreement between the United Nations and ICAO of 1947, 1/ under which ICAO is obliged to "render such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security".

The request by the Security Council is formulated in general terms - "to take such measures as may be necessary" - and does not indicate any specific action. Any action to be taken by ICAO will have to be within the constitutional mandate of the organization.

So far no proposal has been presented in the framework of ICAO for any specific measures to be taken under Security Council resolution 670 (1990); any such proposal will have to be considered as a matter of priority by the ICAO Council.

Furthermore, I wish to inform the Council that, on 25 September 1990, I received a letter from the representative of Iraq on the Council advising me that under a decree issued by the Revolutionary Command Council of the Republic of Iraq, the assets and property of the (and I quote) "former" Government of Kuwait, including aircraft of Kuwait Airways, have become the property of the Government of Iraq; any disposition with such assets and property will be considered as an infringement of the rights and assets of the Government of Iraq. The letter requested me to advise the ICAO member States accordingly.

I have not circulated this letter to the representatives and do not propose its circulation to member States. I believe that ICAO should strictly maintain the policy that communications from one State are not distributed to other Contracting States. The recent communication of Kuwait has been distributed to all States but that was done in conformity with resolution 662 (1990) of the Security Council which called on States and the specialized agencies to refrain from any action or

dealing that might be interpreted as an indirect recognition of the annexation of Kuwait by Iraq. In this context, it should also be noted that resolution 670 (1990) of the Security Council specifically affirms that Decree No. 377 of the Revolution Command Council of Iraq of 16 September 1990 is null and void. Consequently, the circulation of the letter from the representative of Iraq would not be consistent with the terms of resolution 662 (1990) and 670 (1990).

Finally, I wish to inform the Council that, as I indicated in my statement of 4 September 1990, 2/ the traffic continues to proceed without disruption and the appropriate contingency arrangements have been prepared to prevent any possible disruption of the traffic; however, so far there has been no need to introduce such contingency measures. ICAO continues closely to monitor the situation from headquarters and through the regional office concerned, in close co-operation and co-ordination with the States involved and with the International Air Transport Association (IATA).

Notes

1/ United Nations, Treaty Series, vol. 8, No. II-45.

2/ S/21828, enclosure 2.

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Security Council

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S/21840
4 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit herewith the text of a declaration issued by the Kuwaiti Council of Ministers concerning the situation of embassies of fraternal and friendly States in Kuwait.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

Annex

Declaration issued on 3 October 1990 by the Kuwaiti Council of Ministers concerning the situation of embassies of fraternal and friendly States in Kuwait

The Council of Ministers has reviewed a report on the lamentable situation of embassies of fraternal and friendly States in Kuwait and on the acts of harassment carried out by the forces of the iniquitous Iraqi occupation against diplomats operating at those embassies. The Council of Ministers wishes to affirm that the criminal Iraqi régime is now suffering the effects of the international isolation which it brought upon itself when it foolishly perpetrated its wicked act of aggression against Kuwait and then proceeded to take steps to eliminate the embassies and their accredited diplomats, disdaining all the international covenants and customs which enjoin States to ensure the proper treatment of diplomats. In praising the noble positions adopted by those fraternal and friendly States which have maintained their embassies in Kuwait, regardless of the threats and menaces of the heretic Iraqi régime, the Council of Ministers salutes the resilience of accredited diplomats in Kuwait, who have truly proved that they are loyal soldiers struggling for the victory of justice and the defeat of falsehood. It calls upon the world as a whole to support and encourage them by stepping up its pressure on and opposition to Saddam Hussein's régime until that aberrant régime is forced to bend to the will of the international community.

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Security Council

Distr.
GENERAL

S/21841
4 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 4 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit herewith the text of a declaration by the Kuwaiti Council of Ministers concerning the adoption by the iniquitous Iraqi occupation authorities of a decision to abolish the Kuwaiti dinar and withdraw it from circulation.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

Annex

Declaration by the Kuwaiti Council of Ministers concerning the Kuwaiti dinar

With reference to the report that the authorities of the iniquitous Iraqi occupation have adopted a decision to abolish the Kuwaiti dinar and withdraw it from circulation, the Council of Ministers affirms to all States, institutions, public and private corporations and individuals that the decision adopted by the Iraqi occupation authorities in this connection is entirely null and void and lacking in any effect whatsoever, in accordance with article 5 of the Amiri Decree issued on 3 August 1990. The article reads as follows:

> "Any legislation, regulation, decision or measure issued by any authority or body claiming to exercise jurisdiction over the territory of Kuwait or any issue affecting its sovereignty and independence shall be void, the only applicable legislation in such cases being that issued by the legitimate Government of Kuwait in accordance with the provisions of its Constitution."

Furthermore, Kuwaiti Law No. 32 of 1968 concerning money, the Central Bank of Kuwait and regulation of the banking profession, as amended by Law No. 132 of 1977, entrusted the Central Bank of Kuwait with the sole right to issue Kuwaiti banknotes and take measures to guarantee the value, circulation and handling of such notes.

While calling upon the international community to maintain its efforts to force the treacherous Iraqi régime to comply with its wishes and implement the resolutions of the Security Council, the Council of Ministers declares that the Kuwaiti dinar remains the official currency of Kuwait in accordance with the provisions of the aforementioned Law No. 32 of 1968.

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Security Council

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GENERAL

S/21842
4 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I transmit herewith the text of a communiqué issued by the Kuwaiti Council of Ministers concerning statements made by certain leaders of Palestinian organizations.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

Annex

Communiqué issued on 3 October 1990 by an official spokesman for the Kuwaiti Council of Ministers concerning statements made by certain leaders of Palestinian organizations

Further to the remarks made by the representative of the Palestine Liberation Organization at the seminar held recently in Jordan, an official spokesman for the Council of Ministers has issued the following communiqué:

From time to time different news media inform us of statements made by certain leaders of Palestinian organizations concerning the crime committed by the treacherous Iraqi régime against Kuwait. It is truly to be regretted that these leaders have, for one reason or another, thrown themselves entirely into the arms of the criminal Iraqi régime and trumpeted that régime's cause, working diligently to extricate it from its international isolation by adopting so-called initiatives to address the dangerous situation arising as a result of Iraq's occupation of Kuwait. The latest of these alleged initiatives was that launched by the representative of the Palestine Liberation Organization in Jordan, in which he attempted, by way of a favour to the hateful Iraqi régime, to link the withdrawal of Iraqi occupation forces from Kuwait to a solution of the question of Palestine.

In this connection, the Council of Ministers would like to focus attention on the following two points:

1. Kuwait had expected these organizations to adopt a moral position, supporting what is right and condemning the aggression to which the people of Kuwait has been subjected.

2. These organizations have begun to lose their credibility in Arab, Islamic and international circles by virtue of their support, for doubtful reasons, of the Iraqi régime, which has been rejected by the international community because of its iniquitous criminal actions.

In affirming that the only way to halt the deterioration of the explosive situation in the Arabian Gulf - caused by the aggressor Iraq's occupation of Kuwait - is to ensure the full and immediate implementation of the resolutions adopted by the Extraordinary Arab Summit Conference and the Security Council in this connection, the Council of Ministers notes that no hope can any longer be maintained in any effort which falls outside the context of those resolutions. The opportunity still remains for these organizations to revert to what is right and to declare their condemnation and rejection of the occupation of Kuwait and of the practices undertaken by Saddam Hussein's aggressive régime, which have helped to propagate an atmosphere of division and discord in the Arab world.

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Security Council

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GENERAL

S/21843
4 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 4 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you as follows:

The invading Iraqi authorities have stepped up their campaign to change the demographic character of Kuwait by expanding their operation to expel Kuwaiti nationals from their homes in various areas of Kuwait and to replace them by Iraqi families brought to Kuwait from Iraq. The authorities have also forcibly taken over some homes which were in the process of construction by the Public Housing Authority of the Kuwaiti Ministry of Housing and installed Iraqi immigrants in them. The number of such homes is estimated at over 1,500 in the districts of Al-Qurain, Al-Dhahr, Al-Ghantas and Al-Jahra, all of which are new housing areas in Kuwait constructed in accordance with housing plans by the Kuwaiti Public Housing Authority. A number of homes have also been seized in other districts, such as Al-Aridiyyah, Al-Rabiyah, Al-Salibiyyah, etc.

In drawing the international community's attention to these crimes, the object of which is to bring about a comprehensive alteration of the demographic structure of Kuwait, as well as to the mounting acts of aggression against the most fundamental human rights of Kuwaiti citizens, in a clear and flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, the Government of Kuwait affirms that all these measures taken by the occupation authorities are null and void and have no effect in law. The Government of Kuwait also affirms the rights accorded to Kuwaiti citizens under international law and related international conventions, as upheld by all the resolutions adopted by the Security Council since 2 August 1990.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

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Security Council

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GENERAL

S/21844
5 October 1990

ORIGINAL: ENGLISH

LETTER DATED 5 OCTOBER 1990 FROM THE PERMANENT OBSERVER FOR PALESTINE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to request that, in accordance with its previous practice, the Security Council invite His Excellency Mr. Farouk Kaddoumi, Minister for Foreign Affairs of the State of Palestine and the head of the Political Department of the Palestine Liberation Organization, to participate in the current debate of the Security Council on the situation in the occupied Palestinian territory.

(Signed) Zuhdi Labib TERZI
Permanent Observer for Palestine
to the United Nations

90-25082 1769c (E)

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Security Council

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S/21845
5 October 1990

ORIGINAL: ENGLISH

LETTER DATED 7 SEPTEMBER 1990 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The members of the Security Council will recall that during the Council's informal consultations on 28 June 1990 I informed them of a letter which I had received from the Interim President of Haiti. That letter, which has since been circulated as document A/44/965, annex, requested the assistance of the United Nations in connection with the forthcoming elections in Haiti.

I subsequently received a further letter from the Interim President of Haiti on 9 August 1990. That letter, which has been circulated as annex II of document A/44/973, elaborated on the Haitian Government's request and described the functions to be performed by the civilian and security components of the requested observer mission.

More recently, I received a letter dated 20 August 1990 from the Permanent Representative of Barbados, in his capacity as Chairman of the Group of Latin American and Caribbean States (A/44/973). That letter forwarded to me the text of a draft resolution (ibid., annex I) which the Group intended to submit for consideration by the General Assembly as a means of responding to the specific requests contained in the Interim President's letter of 9 August 1990.

The purpose of the present letter is to request you to transmit to the members of the Security Council certain information which I intend to convey to the General Assembly, in accordance with that organ's rules of procedure, when the Assembly considers the draft resolution prepared by the Group of Latin American and Caribbean States. The main points which I intend to convey are as follows:

(a) If the General Assembly adopts the draft resolution, I would establish an observer mission, to be known as the United Nations Observer Group for the Verification of Elections in Haiti (ONUVEH) to provide assistance in the observation and verification of the electoral process and in drawing up electoral security plans and observing their implementation, as requested by the Interim President of Haiti.

(b) The Group would be in the field for about three months, from early October 1990 until early January 1991. Its work would begin with the registration of voters, which is scheduled to start on 5 October 1990, would continue with the

electoral campaign and would conclude with the election itself, which is scheduled for early December 1990, followed by a run-off election about four weeks later.

(c) The Group would consist of about 87 staff members of the United Nations, who would fill substantive and administrative posts, and up to 150 military or security personnel, who would be made available by Member States as necessary, at my request. About 65 of the military personnel would be required in Haiti during the registration phase; the remainder could be deployed during the period of the election itself.

(d) During the electoral process, the Group's civilian personnel would be augmented by 80 election monitors, 40 of whom would be staff members of the Organization, with the other 40 being made available by Member States, at my request, and by up to 100 other staff members from United Nations agencies in Haiti and the region.

(e) Some of the equipment required by ONUVEH would be obtained on a temporary basis from the United Nations Supply Depot at Pisa, Italy, or from other existing United Nations missions.

(f) The total cost of ONUVEH to the United Nations would be in the region of $9.6 million, and, in my view, should be considered as extraordinary expenses.

I should be grateful if you would transmit the above information to the members of the Security Council.

(Signed) Javier PEREZ de CUELLAR

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Distr.
GENERAL

S/21846
5 October 1990

ORIGINAL: ENGLISH

LETTER DATED 17 SEPTEMBER 1990 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour, with reference to my letter of 7 September 1990 (S/21845), to enclose the text of a further letter which I have received from the Interim President of Haiti, clarifying the Haitian Government's request for the assistance of the United Nations in connection with the forthcoming general elections in Haiti.

I should be grateful if you would draw this letter to the attention of the members of the Security Council.

(Signed) Javier Pérez de Cuéllar

Annex

Letter dated 14 September 1990 from the Provisional President of the Republic of Haiti addressed to the Secretary-General

[Original: French]

I have the honour to confirm the terms of the request made in the letters dated 23 June and 9 August 1990 concerning assistance to the Haitian Government in connection with the organization of the forthcoming general elections.

In addition to the assistance to the Provisional Electoral Council, which is already under way and which I hope will continue, my Government maintains its request for support, comprising two inseparable components, for the Haitian electoral process: observation and verification of this process, on the one hand, and assistance in drawing up electoral security plans and observing their implementation, on the other.

It remains understood that in its civilian component, the operation would be analogous to the United Nations Observer Mission for the Verification of the Electoral Process in Nicaragua, and would comprise:

(a) A permanent nucleus of some 50 observers which would arrive in Haiti prior to voter registration and would leave after the elections;

(b) Reserve teams at the time of the elections and, if possible, of voter registration, bringing the total to a few hundred observers. Co-ordination with the Organization of American States is envisaged.

In its security component, the operation would provide for:

(a) Assistance to the Co-ordinating Committee to ensure the security of the elections;

(b) Observation of the implementation of security plans by specialized staff, i.e. by observers, the number of whom will have to be determined, with solid experience in the field of public order.

For the Haitian Government, it is clear that these observers, experts in security matters, will be in no way comparable with "Blue Helmets" or other peace-keeping forces. Absolute responsibility in this area rests with the Haitian Armed Forces.

The mission of these experts is limited to assisting the Co-ordinating Committee in drawing up security plans and to observing the implementation of measures provided for therein.

These experts (soldiers or members of military institutions specialized in the maintenance of internal public order) will not be authorized, throughout the duration of their mission in Haiti, to carry or use firearms for either offensive or defensive purposes.

Their presence will come to an end immediately after the elections.

I should like to emphasize that this request is supported by all national institutions, which are concerned to see the electoral process take place in an orderly and peaceful fashion.

I reiterate the Haitian Government's gratitude for your unceasing efforts to ensure the success of Haiti's request.

(Signed) Mrs. Ertha PASCAL TROUILLOT
Provisional President of the Republic

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21847
5 October 1990

ORIGINAL: ENGLISH

LETTER DATED 5 OCTOBER 1990 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have informed the members of the Council of your letter of 7 September (S/21845), concerning possible United Nations assistance in connection with the forthcoming elections in Haiti, and your letter of 17 September (S/21846) clarifying the Haitian Government's request.

The members of the Council, without prejudice to their positions on the competence of the organs of the United Nations on electoral assistance if requested by a Member State and without prejudice to the right of any member of the Council to raise the matter at any later time in the Council for further consideration, concur that it is important that you respond positively to the request for assistance from the Government of Haiti on an urgent basis. They note that the proposed assistance to its electoral process, as requested by the provisional President of Haiti, which involves inter alia the provision of advisers, observers and experts on electoral security matters, but does not include the use of any United Nations peace-keeping forces, will be considered in its entirety by the General Assembly. They express the hope that the General Assembly will take urgent action so that the United Nations assistance can be extended within the time-frame required by Haiti to hold its elections.

(Signed) David HANNAY
President of the Security Council

90-25111 1986b (E)

UNITED
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Security Council

Distr.
GENERAL

S/21848
5 October 1990
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 4 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF ARGENTINA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose the text of Presidential Decree 2067 of 2 October 1990, whereby the Argentine Government incorporated in its national legislation Security Council resolution 670 (1990), of 25 September 1990, and provided that the Executive Power, the departments and public agencies of the National State, the provinces and the municipalities should adopt, within their respective jurisdictions, the measures required in order to give effect to resolution 670 (1990).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council and brought to the attention of the Committee established under resolution 661 (1990), as requested in paragraph 10 of resolution 670 (1990).

(Signed) Jorge VAZQUEZ
Ambassador
Permanent Representative

Annex

The National Executive Power

Buenos Aires, 2 October 1990

Whereas the Argentine Republic is a founder member of the United Nations, and

Considering:

That Decree No. 1560 of 13 August 1990 approved the sanctions against the Republic of Iraq provided for under resolution 661, of 6 August 1990, of the Security Council of the United Nations,

That the Security Council of the United Nations adopted, on 25 September 1990, resolution 670, extending to air transport the sanctions provided for in the above-mentioned resolution,

That the present measure is enacted in exercise of the powers conferred under article 86, paragraphs (1) and (2), of the National Constitution,

Therefore,

The Vice-President of the Argentine Nation

In exercise of the executive power

Decrees:

Article 1. Resolution No. 670 adopted by the Security Council of the United Nations on 25 September 1990 is approved;

Article 2. The Executive Power and the departments and public agencies of the National State, the provinces and the municipalities shall adopt within their respective jurisdictions the measures required in order to give effect to the decisions contained in the resolution approved under the terms of article 1 above;

Article 3. For promulgation, publication, transmission to the National Office of Official Records and archiving.

DECREE NO. 2067

Carlos DUHALDE

Alberto Jorge TRIACA
Acting Minister for
Foreign Affairs and Worship

Julio Ignacio MERA FIGUEROA
Minister of the Interior

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General Assembly Security Council

Distr.
GENERAL

A/45/585
S/21849
5 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda item 153
IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 5 October 1990 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the statement on the crisis in the Persian Gulf adopted by the Meeting of Ministers of Foreign Affairs and Heads of delegation of Non-Aligned Countries at the forty-fifth session of the General Assembly, held on 4 October in New York (see annex).

I should be grateful if you would have this text circulated as an official document of the General Assembly, under item 153 of the agenda, and of the Security Council.

(Signed) Darko SILOVIC
Ambassador

ANNEX

Statement on the crisis in the Persian Gulf adopted by the Meeting of Ministers for Foreign Affairs and Heads of delegations of Non-Aligned Countries at the forty-fifth session of the General Assembly, issued on 4 October 1990

The Ministers of non-aligned countries devoted special attention to the dangerous situation in the Persian Gulf, brought about by the Iraqi invasion and annexation of Kuwait. They emphasized that these acts are unacceptable, null and void. They demanded the immediate and unconditional withdrawal of Iraq, the restoration of the legitimate government of Kuwait and of its independence, territorial integrity and sovereignty, as well as the release of citizens of third countries detained against their will in Iraq and Kuwait as requested by the Security Council. They also called upon all countries to strictly adhere to the provisions of relevant Security Council resolutions.

They further expressed their profound concern for the safety of Kuwaiti people under occupation and call upon Iraq to allow the International Committee of the Red Cross or a representative of the Secretary-General to visit Kuwait, assess the situation and report thereon.

The Ministers expressed their deepest concern over the increasing danger of further escalation which might lead to a military conflict with unforeseeable consequences for peace and security not only in this region, but in the world at large. They also deeply regretted Iraq's refusal to respond positively to the efforts by several non-aligned countries, including Arab, as well as other countries.

Reiterating their full determination and strict adherence to the implementation of all relevant Security Council resolutions, the Ministers expressed their resolve to make an effort in order to contribute to a peaceful solution of the crisis in the Persian Gulf. To that end, they entrusted Yugoslavia, as Chairman of the Movement, to address this urgent problem of paramount importance and seek a political solution by peaceful means.

In this spirit, and in the fulfilment of their duties based on the principles of the non-aligned policy, they mandate the Chairman to convey to the leaders of Iraq the sentiment of the Movement on this question and express its readiness to lend its good offices to assist in the resolution of the problem between Iraq and Kuwait by peaceful means upon the full implementation by Iraq of Security Council resolutions 660 (1990), 662 (1990) and 664 (1990).

The Ministers also emphasized that the prompt solution of the crisis in the Persian Gulf should contribute to having the international community approach with equal determination and urgency the Arab-Israeli conflict, at the core of which is the problem of Palestine, in order to achieve a just and lasting solution of this long-lasting crisis in the Middle East.

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General Assembly Security Council

Distr.
GENERAL

A/45/596
S/21850
8 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23, 35 and 75
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE
PALESTINIAN PEOPLE AND OTHER ARABS
OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-fifth year

Letter dated 8 October 1990 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your immediate attention:

Today, 8 October 1990, Israel committed another crime of genocide, resulting, until 0800 hours New York time, in the martyrdom of 22 unarmed civilian Palestinians and the wounding of almost 200 others. Israeli occupation troops are preventing the Palestinians from reaching hospitals to donate blood to the wounded.

Early in the morning it was learned that a group of Israelis had planned to enter the precinct of the Haram al-Sharif (the al-Aqsa Mosque) in Jerusalem and to lay therein the "Foundation Stone" for the erection of the "Third Temple". As these Israelis approached the gates from the southern side, the people of Jerusalem were already in the area to prevent the aggression against one of the holiest of Moslem Shrines. Members of the Israeli army, in uniform, opened fire with live ammunition and gas cannisters. Israeli troops opened fire from helicopters circling over the area.

The Security Council is called upon immediately to invoke the powers vested in it by the Charter, to put an end to such criminal acts by the occupying Power, Israel, and to ensure respect by Israel for the legal obligations arising from the Charter and from the Fourth Geneva Convention.

The aggression committed today and the persistent policy and practice of the occupying Power against the Palestinian people under occupation do constitute a threat to international peace and security.

I should be grateful if you would arrange to have the text of the present letter circulated as an official document of the General Assembly, under agenda items 23, 35 and 75, and of the Security Council.

(Signed) Zuhdi Labib TERZI
Permanent Observer of Palestine
to the United Nations

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21851
9 October 1990

ORIGINAL: ENGLISH

Colombia, Côte d'Ivoire, Cuba, Ethiopia, Malaysia, Yemen and Zaire: draft resolution

The Security Council,

Having considered the grave situation in Jerusalem arising from the incidence of violence in the precinct of Al Haram Al Shareef on 8 October 1990 resulting from the loss of lives of unarmed Palestine civilians,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Deploring the acts of violence committed by Israeli authorities,

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

1. Decides to establish a Commission consisting of three members of the Security Council, to be dispatched immediately to examine the current situation in Jerusalem;

2. Requests the Commission to submit its report to the Security Council by 20 October 1990, containing recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation;

3. Requests the Secretary-General to provide the Commission with the necessary facilities to enable it to carry out its mission;

4. Decides to keep this situation under constant and close scrutiny and to reconvene to review it in the light of the findings of the Commission.

90-27671 2511Z (E)

UNITED
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Security Council

Distr.
GENERAL

S/21852
8 October 1990

ORIGINAL: ENGLISH

LETTER DATED 8 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to request that the Security Council extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Abdulmalek Ismail Mohamed, Chargé d'affaires, Office of the Permanent Observer of the League of Arab States to the United Nations, during the Council's discussion of the item "The situation in the occupied Arab territories".

(Signed) Mohammad ABULHASAN
Ambassador
Permanent Representative of
Kuwait to the United Nations

90-25326 1880g (E)

UNITED
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Security Council

Distr.
GENERAL

S/21853
9 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 8 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I should like to inform you that, on 2 September 1990, the Iraqi occupation authorities issued a decree abolishing the Kuwaiti civil status document and forcibly replacing it, subject to punishment by law and with effect from 31 October 1990, with the Iraqi personal identity card. This was done in the context of the unlawful measures being taken by the Iraqi régime to obliterate the Kuwaiti identity and of the implementation of its plan for the progressive elimination of State institutions.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

90-25442 1794c (E)

UNITED
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General Assembly Security Council

Distr.
GENERAL

A/45/598
S/21854
9 October 1990
ENGLISH
ORIGINAL: ENGLISH AND RUSSIAN

GENERAL ASSEMBLY
Forty-fifth session
Agenda items 12, 28, 29, 32, 34, 35, 79, 80, 81, 84, 86, 87, 89, 105, 108, 110, 117, 118, 119 and 139
REPORT OF THE ECONOMIC AND SOCIAL COUNCIL
THE SITUATION IN CENTRAL AMERICA: THREATS TO INTERNATIONAL PEACE AND SECURITY AND PEACE INITIATIVES
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY
THE SITUATION IN CAMBODIA
POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA
THE SITUATION IN THE MIDDLE EAST
DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION
UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT
PROTECTION OF GLOBAL CLIMATE FOR PRESENT AND FUTURE GENERATIONS OF MANKIND
OPERATIONAL ACTIVITIES FOR DEVELOPMENT
SPECIAL ECONOMIC AND DISASTER RELIEF ASSISTANCE
INTERNATIONAL ASSISTANCE FOR THE ECONOMIC REHABILITATION OF ANGOLA
EFFECTIVE IMPLEMENTATION OF UNITED NATIONS INSTRUMENTS ON HUMAN RIGHTS AND EFFECTIVE FUNCTIONING OF BODIES ESTABLISHED PURSUANT TO SUCH INSTRUMENTS
INTERNATIONAL COVENANTS ON HUMAN RIGHTS
INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING

SECURITY COUNCIL
Forty-fifth year

ENHANCING THE EFFECTIVENESS OF THE
PRINCIPLE OF PERIODIC AND GENUINE
ELECTIONS
REVIEW OF THE EFFICIENCY OF THE
ADMINISTRATIVE AND FINANCIAL
FUNCTIONING OF THE UNITED NATIONS
PROGRAMME BUDGET FOR THE BIENNIUM
1990-1991
PROGRAMME PLANNING
PEACEFUL SETTLEMENT OF DISPUTES
BETWEEN STATES

Letter dated 3 October 1990 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics and the Secretary of State of the United States of America addressed to the Secretary-General

We have the honour to transmit herewith the text of the Joint American-Soviet Statement: Responsibility for Peace and Security in the Changing World (see annex).

We should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under agenda items 12, 28, 29, 32, 34, 35, 79, 80, 81, 84, 86, 87, 89, 105, 108, 110, 117, 118, 119 and 139, and of the Security Council.

(Signed) James A. BAKER III
Secretary of State
of the United States of America

(Signed) Eduard A. SHEVARDNADZE
Minister for Foreign Affairs
of the Union of Soviet
Socialist Republics

ANNEX

Joint statement issued on 3 October 1990 by the Union of Soviet Socialist Republics and the United States of America

Responsibility for Peace and Security in the Changing World

The forty-fifth session of the United Nations General Assembly is taking place amidst the most profound changes in international affairs that have occurred since the Second World War. The confrontational nature of relations between East and West is giving way to a co-operative relationship and partnership. The United Nations is fast becoming a real centre for agreed common actions and the Security Council is re-establishing its crucial role in the maintenance of international security, peaceful settlement of disputes and prevention of conflicts. Yet there remain many challenges to meet and problems to solve on the way to a peaceful and prosperous future.

Reaffirming the resolution presented last year by the United States and the Soviet Union and unanimously adopted by the United Nations General Assembly, our two countries will attach special importance in the United Nations and its specialized agencies and programmes to promoting practical, multifaceted solutions to the issues of international peace and security, political, economic, social, cultural and humanitarian problems.

To accomplish this we will pursue co-operation with all Member States in attainment of the following:

(a) Strengthen the United Nations efforts to promote international peace and security in all its aspects by working to improve United Nations peace-keeping, peace-making and crisis-prevention functions, by encouraging more active use of the Secretary-General's good offices and, at the request of individual countries, electoral assistance;

(b) Establish a new sense of responsibility at the United Nations by encouraging the trend away from rhetorical excess towards efforts to deal pragmatically with the major issues of the 1990s, including transnational issues such as narcotics, the environment, development, terrorism and human rights;

(c) Promote a new way of conducting diplomatic efforts within the United Nations system to eliminate duplicative programmes and activities and ensure that the United Nations system is utilized in the most efficient manner possible - we call this a "unitary United Nations";

(d) Ensure the availability of sufficient resources to the United Nations for it to function effectively and efficiently by timely payment of financial obligations to the United Nations.

Promoting peace and security in all its aspects

Joint efforts have contributed significantly to the easing of tensions in southern Africa and Central America, and are part of efforts to prepare a peaceful settlement in Cambodia. But serious problems still remain. Our search continues for workable solutions to conflict and instability in the Persian Gulf, the Middle East, Afghanistan and El Salvador.

In the Persian Gulf, we face a most serious threat to the integrity of the emerging international system. The United States and the Soviet Union are working together with other members of the Security Council to fashion a concerted response, unprecedented in United Nations history, to this crisis. The swift reaction of the international community to Iraq's dangerous and unwarranted aggression serves as a sobering reminder to any future aggressor; the international community will not tolerate the kind of wanton aggression that Iraq has committed. We call upon all United Nations Members to continue to support the sanctions invoked by the Security Council in its resolution 661 (1990) and 670 (1990) until Iraq abides by the call of the Security Council to withdraw its forces from Kuwait immediately, totally and unconditionally. We call also for the restoration of the legitimate Government of Kuwait.

The rapidly changing structure of international relations requires a United Nations that, while remaining faithful to its original purposes, can also respond flexibly and effectively to new challenges as they occur, such as drugs, the environment and the need to ensure the protection of human rights.

Tangible examples of the United Nations movement away from divisive rhetoric and political excess were last December's special session of the General Assembly on apartheid and the resumed session last month, where the world community underscored its resolute opposition to apartheid while agreeing, by consensus, on a positive approach based on dialogue among all South African parties. We will work for equally positive results at the General Assembly this year.

The special session of the General Assembly on international economic co-operation, held in April 1990, also reflected the growing convergence of views world wide on the need for more effective approaches to national economic development, in the context of a supportive international economic environment. Our two countries will continue working together to promote further convergence in this direction. We will also support efforts to ensure careful and pragmatic preparation for the 1992 Conference on Environment and Development. We want to see the Conference fashion a realistic action plan to set the United Nations course in the coming decades.

Another area in which the United Nations is actively promoting peaceful change is in facilitation of free and fair elections. United Nations assistance in Namibia and Nicaragua was dramatically successful, and there are many other situations where the United Nations services are being requested. Our two countries will work with other United Nations Members and the Secretary-General to structure a United Nations electoral assistance process to enable the Organization, at the request of countries concerned, to carry out effectively this important new effort.

Promoting a unitary United Nations and assuring needed financial resources

An important area of our bilateral and multilateral co-operation has been the administration and management of the United Nations, particularly its budget. As major contributors to the United Nations, we believe it is essential that all views on the budget are taken into account, and that the agreement of all major contributors is required in order to approve the budget.

For there to be consensus, the United Nations system must improve the setting of priorities and improve co-ordination among various United Nations programmes. The aim should be to eliminate duplicative programmes and activities and ensure that the various components of the United Nations are utilized in the most efficient manner possible. For priority-setting and co-ordination to be effective, Members will need clearer and more comprehensive data on what the United Nations and the specialized agencies are doing with assessed and voluntary contributions.

Our two countries provide an important element of United Nations resources. As such, we recognize our responsibility to pay assessments promptly so that the United Nations has the resources required to perform the tasks as expeditiously as possible, keeping in mind the necessity of strengthening the administrative and budgetary reforms that have taken place in recent years.

We intend to work for further enhancing the efficiency of the executive machinery of the Organization.

Establishing a new sense of responsibility for peace

The challenges before the international community and the United Nations are great. So, too, are the opportunities for more and better multilateral co-operation to confront and master the problem of our time.

In all spheres of United Nations activities the renunciation of sterile and rigid positions dictated by ideology rather than by practicality constitutes an essential prerequisite for creating an atmosphere of confidence within the United Nations among all United Nations Members.

The United Nations can play a leading role on issues of global concern. We will actively support efforts, throughout the United Nations system, to implement and strengthen the principles and the system of international peace, security and international co-operation laid down in the Charter.

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General Assembly Security Council

Distr.
GENERAL

A/45/599
S/21855
9 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda item 35
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 9 October 1990 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued on 9 October 1990 by a spokesman of the Ministry of Foreign Affairs of Japan on the disturbances in Israeli-occupied East Jerusalem (see annex).

I should be grateful if you would arrange to have this letter and its annex circulated as an official document of the General Assembly, under item 35, and of the Security Council.

(Signed) Yoshio HATANO
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative of Japan
to the United Nations

ANNEX

Statement issued on 9 October 1990 by a spokesman of the Ministry of Foreign Affairs on the disturbances in Israeli-occupied East Jerusalem

The Government of Japan deeply deplores the killing of many Palestinians in the disturbances which occurred in Israeli-occupied East Jerusalem on the morning of 8 October, and strongly condemns the excessive use of force by the Israeli authorities.

Japan urges the Israeli authorities to exercise the utmost self-restraint and to accord the Palestinians in the occupied territories humane treatment as prescribed by international law. The Government of Japan hopes that this incident will not lead to a vicious circle of violence.

Japan reaffirms its basic position that the problem of peace in the Middle East should be solved through (1) Israel's withdrawal from all the territories it has occupied since 1967, (2) recognition of the right to self-determination of the Palestinian people, including the right to establish an independent State, and (3) recognition of Israel's right to exist; such a solution should be sought through negotiations among all the parties concerned, including the Palestine Liberation Organization, and, ultimately, through the holding of an international conference.

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Security Council

Distr.
GENERAL

S/21856
10 October 1990

ORIGINAL: ENGLISH

LETTER DATED 9 OCTOBER 1990 FROM THE PERMANENT REPRESENTATIVE OF BANGLADESH TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Government of Bangladesh is fully implementing all the provisions of Security Council resolution 661 (1990).

This has, however, given rise to special economic problems for Bangladesh and a memorandum on the economic and financial impact on Bangladesh resulting from restrictions on economic relations with Iraq and Kuwait is enclosed.

Upon instructions of my Government, I have the honour to request urgent consultations with the Security Council, in accordance with Article 50 of the Charter of the United Nations, with a view to overcoming these problems.

(Signed) A. H. G. MOHIUDDIN

Annex

Memorandum on the economic and financial impact on Bangladesh resulting from restrictions on economic relations with Iraq and Kuwait

Bangladesh has been abiding by Security Council resolution 661 (1990). The implementation of the resolution has had immediate and adverse repercussions on the economy of Bangladesh. The memorandum explains the economic losses that Bangladesh would face as a result of the imposition of sanctions against Iraq and Kuwait. The impact of sanctions has caused serious damage to the economy and development efforts of Bangladesh. The adverse consequences are felt most acutely in the following areas:

(a) Cost of repatriation and rehabilitation of Bangladeshis displaced from Iraq and Kuwait;

(b) Loss of remittances;

(c) Increase in the price of oil;

(d) Loss of exports;

(e) Loss of aid.

1. Repatriation and rehabilitation of Bangladeshis

According to estimates, 100,000 Bangladeshis were employed in Kuwait and Iraq. Bangladesh is obliged to bear the burden of their repatriation. The cost of such repatriation is tentatively estimated at about $US 36 million. Stranded Bangladeshis are being airlifted from Jordan, Turkey and Saudi Arabia. In addition to these costs, and loss of remittances, the Government will have to spend an enormous amount to rehabilitate the returnee Bangladeshis. With Bangladesh's fragile economy, it will be an extremely difficult task to absorb them into the economy. It will aggravate the already high unemployment situation in the country and put an unbearable social burden on the country.

2. Loss of remittances

The Gulf crisis has stopped annual remittances of $US 160 million from Bangladeshis employed in Kuwait and Iraq. The situation has caused a large exodus of Bangladeshis from the area.

3. Increase in the price of oil

Bangladesh has been most seriously affected by the rise in the price of oil as most of its requirements are met from imports from the Middle East. The additional cost of petroleum, oil and lubricants to the economy at the current price would be very high. Computation of the exact amount is rendered difficult owing to the continual rise in oil prices.

4. Loss of exports

Kuwait and Iraq have been important trading partners of Bangladesh. The embargo will result in an annual loss of exports to these countries in the amount of $US 120 million.

5. Loss of aid

The crisis has resulted in the loss of $US 56 million from Kuwait lined up for various projects in Bangladesh.

Besides these, the crisis and its prolongation will mean for Bangladesh an estimated revenue loss of about taka 10 billion or $US 278 million in 1990-1991.

Conclusion

External shocks emanating from the Gulf crisis will have debilitating effects on the long-term growth prospects, balance of payments, employment and price levels of Bangladesh. Unless such losses, which may amount to $1.5 billion, are compensated for, Bangladesh will be forced to curtail imports drastically. It will affect the Government's ability to continue with the implementation of the structural adjustment import liberalization programme as well as the development programme.

It is in this context that Bangladesh hopes that donor countries, the United Nations and multilateral agencies will consider rendering all possible assistance to Bangladesh to overcome these problems.

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General Assembly Security Council

Distr.
GENERAL

A/45/600
S/21857
9 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda items 29, 69 and 139
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY
PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES

SECURITY COUNCIL
Forty-fifth year

Letter dated 9 October 1990 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a statement issued by the Government of the Republic of Afghanistan (see annex).

I have further the honour to request that the text of the present letter and its annex be circulated as an official document of the General Assembly, under items 29, 69 and 139, and of the Security Council.

(Signed) Noor Ahmad NOOR
Ambassador
Permanent Representative

ANNEX

Statement of the Government of Afghanistan

Our dear compatriots know that with the signature of the Geneva Agreements, real possibilities were opened for the peaceful settlement of the problem of Afghanistan. On the eve of the return of Soviet troops and afterwards, different ways and means of ensuring country-wide peace and reconstruction of Afghanistan in the framework of high national interest and based on the principle of the participation of all political forces, organizations and figures opting for peace, were sought and put forward.

In the period after the signing of the Geneva Agreements, the Republic of Afghanistan, with the grace of God and vast support of the people, was able, in spite of all military and economic pressures and every interference from abroad, to defend the independence, territorial integrity and national sovereignty of the country and to demonstrate, in practice and repeatedly, its capability for survival and the reality of its existence. Despite all difficulties, the State was able to bring its domestic and foreign policy in line with the developments in national and international levels. It amended the Constitution and created a new government consisting of non-party personalities. To ensure the independence of the courts, the judiciary and prosecutors were reserved for non-party individuals and the principles of political pluralism and the market economy were enshrined as the basis of the political and economic system of the country.

In the international arena, differences on the political settlement of the problems of Afghanistan have narrowed considerably and the positions of the United States of America and the Soviet Union vis-à-vis Afghanistan have become closer than ever. All these developments have created favourable conditions for the emergence of an international consensus and launching of elections under United Nations supervision.

While promising horizons are appearing for the political peaceful solution of the situation in Afghanistan, certain Pakistani military circles, particularly its military intelligence, are making every effort to intensify their interference and to encourage once again extremist groups, particularly those of Gulbuddin and Sayyaf, to commit war, destruction and murder of Afghan people. The State of the Republic of Afghanistan possesses authentic information that, like the incident of attack on Jalalabad city, the military circles of Pakistan and its intelligence are once again planning to press the extremists to prepare for another attack on Kabul and a number of other cities. While the return of Afghan refugees is continuing, according to this plan, they are to cut the main highways of the country in order to sabotage this process and to bring economic pressure and food shortages. According to the information, Pakistani military units are also to be introduced in the attacks on provinces bordering Pakistan. The intensification of rocket attacks on Kabul city on the birthday of the Prophet (peace be upon him) causing the death or injury of dozens of people, is, in fact, a sample of fresh barbaric military efforts of the extremists and their patrons which they are planning to repeat on a larger scale.

The development of events in Pakistan and an analysis of public opinion in that country indicate that the present situation is in favour of forces which are for democracy and the solution of the situation in Afghanistan through peaceful political means. Therefore, in order to mislead Pakistani public opinion, on the one hand, and, on the other, to prevent the political solution of the situation in Afghanistan in spite of the understanding between the Soviet Union and the United States, who are helping to create favourable conditions for understanding among Afghans, the military circles of Pakistan are using the extremists to launch yet another military adventure against Afghanistan. At a time when world public opinion is concerned with the crisis in the Gulf region, such measures of certain Pakistani military circles pose the grave danger of creating another regional crisis.

The State of the Republic of Afghanistan resolutely declares that, as it has in the past defended Afghanistan and its people, this time it will also repel any warmongering and terroristic attempts on the part of the extremists and the aggressors. Common sense dictates that those who insist on military pressure and the continuation of war should learn a lesson from the experience of Jalalabad, Khost, Kandahar and other parts of the country and refrain from further committing the grave crime of murdering Muslim Afghans, looting, destruction and aggression against Afghanistan.

The Republic of Afghanistan once again reiterates its commitment to the political peaceful solution of the question of Afghanistan. The alternative of war is not the choice of the Republic of Afghanistan. However, if war is once again imposed on the people of Afghanistan, the armed forces of the country, wherever they are and under whatever conditions they are, will resolutely defend themselves, with the grace of God and the support of the freedom-loving people of Afghanistan against the aggressors, the warmongers and the enemies of peace and tranquillity. The responsibility for all these attempts, however, would rest on the shoulders of the armed extremist opposition and the Pakistani militarists. The State of the Republic of Afghanistan is firmly confident that the brave, freedom-loving nation of Afghanistan, following the traditions of their forefathers, as they demonstrated valour and heroism against the military pressures of the extremists and the aggressor after the withdrawal of Soviet troops, this time too, they will firmly stand for the defence of their homeland and its honour with high morals and, if need be, with the price of their lives.

The State of the Republic of Afghanistan draws the attention of the United Nations and world public opinion to the grave dangers of the intensification and even aggression of Pakistan against Afghanistan which runs nakedly against the spirit and letter of the Geneva Agreements. We demand that serious measures be adopted to prevent further deterioration of the situation.

UNITED
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General Assembly Security Council

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A/45/603
S/21858
10 October 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 35
QUESTION OF PALESTINE
SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 9 October 1990 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the communiqué of the meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries on the situation in the occupied Palestinian territory, held in New York on 9 October 1990 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the General Assembly, under agenda items 23 and 35, and of the Security Council.

(Signed) Darko SILOVIC
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the Socialist Federal
Republic of Yugoslavia to the United Nations

ANNEX

Communiqué of the meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries on the situation in the occupied Palestinian territory, held in New York on 9 October 1990

The Co-ordinating Bureau of the Movement of Non-Aligned Countries met urgently on 9 October 1990 under the chairmanship of His Excellency Mr. Budimir Loncar, Federal Secretary for Foreign Affairs of Yugoslavia, to consider the dangerous situation in the occupied Palestinian territory, especially Jerusalem.

The Bureau learned with revolt and indignation of the use of firearms by members of Israeli armed forces and other Israeli nationals against unarmed Palestinian civilians in the precinct of Al Haram Al Shareef, at Jerusalem, on 8 October 1990, which resulted in the loss of 23 Palestinian lives and over 200 wounded. It strongly condemned this massacre, which is yet another criminal act committed against the suffering Palestinian people.

The Bureau called upon the Security Council to take immediate and resolute action in order to implement its own resolutions regarding the situation in the occupied Palestinian territory, as well as the provisions of the Fourth Geneva Convention, and to establish urgently an effective United Nations presence with a legal mandate to protect the Palestinian people under Israeli occupation. Further on, the Bureau called upon non-aligned countries to take an active part in the deliberation of this issue in the Security Council.

The Bureau was of the view that this Israeli brutal act generates additional tension in the occupied Palestinian territory and puts obstacles to the creation of the necessary conditions for the opening of the peace process. This tragic event brings forth the urgent need for the implementation of Security Council resolutions 242 (1967) and 338 (1973) and the attainment of the national rights of the Palestinian people in accordance with the relevant United Nations resolutions.

The Bureau emphasized that the Security Council should proceed, as a matter of urgency, to take the necessary measures towards the convening of the International Peace Conference on the Middle East under the auspices of the United Nations, with the participation, on an equal footing, of all the parties directly concerned, including the PLO, as well as the five permanent members.

Bearing in mind the recent experience in the Security Council, which indicates that, given the necessary political will, the Council is able to achieve consensus on an important matter of concern to the international community, the Bureau encourages and supports every effort by the permanent and other members of the Security Council to bring the positions of the parties to the Arab-Israeli conflict closer to each other, to create a climate of confidence between them, and to facilitate in this way the convening and successful outcome of the International Peace Conference.

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S/21859
12 October 1990

ORIGINAL: ENGLISH

Canada, Côte d'Ivoire, Finland, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and Zaire: draft resolution

The Security Council,

Recalling its resolutions 476 (1980) and 478 (1980),

Reaffirming that a just and lasting solution to the Arab-Israeli conflict must be based on its resolutions 242 (1967) and 338 (1973) through an active negotiating process which takes into account the right to security for all States in the region, including Israel, as well as the legitimate political rights of the Palestinian people,

Taking into consideration the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,

1. Expresses alarm at the violence which took place on 8 October at the Al Haram Al Shareef and other Holy Places of Jerusalem resulting in over twenty Palestinian deaths and to the injury of more than one hundred and fifty people, including Palestinian civilians and innocent worshippers;

2. Condemns especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life;

3. Calls upon Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention, which is applicable to all the territories occupied by Israel since 1967;

4. Requests, in connection with the decision of the Secretary-General to send a mission to the region, which the Council welcomes, that he submit a report to it before the end of October 1990 containing his findings and conclusions and that he use as appropriate all of the resources of the United Nations in the region in carrying out the mission.

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UNITED
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Security Council

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S/21860
10 October 1990

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ANGOLA VERIFICATION MISSION

INTRODUCTION

1. The present report is submitted in pursuance of Security Council resolution 626 (1988) of 20 December 1988, by which the Council decided to establish under its authority a United Nations Angola Verification Mission (UNAVEM). By paragraph 5 of that resolution, the Council, inter alia, requested the Secretary-General to keep the Council fully informed of further developments. The present report contains an account of developments relating to UNAVEM during the fourth phase of its operations, which began on 1 April 1990 and was concluded on 30 September 1990. Information concerning the previous phase is set out in my report to the Council of 12 April 1990 (S/21246).

I. COMPOSITION, COMMAND AND DEPLOYMENT

2. The command of UNAVEM continues to be exercised by the Chief Military Observer, Brigadier-General Péricles Ferreira Gomes (Brazil).

3. As at 1 October 1990, the strength of UNAVEM was 59, as follows:

United Nations military observers

Algeria	6
Argentina	6
Brazil	7 a/
Congo	6
Czechoslovakia	6
India	6
Jordan	6
Norway	6
Spain	6
Yugoslavia	4
Total	59

a/ Including one medical doctor.

4. Nineteen international and 15 local civilian staff members are presently serving with UNAVEM.

5. UNAVEM continues to have its headquarters at Luanda and military teams at the ports of Cabinda, Lobito and Luanda, as well as at Luanda airport. At each of these locations they maintain a 24-hour watch and record the movement of all Cuban military personnel and equipment into and out of Angola.

II. OPERATIONS

6. During the period under review, the procedures worked out early in 1989, to which I referred in my report of 10 May 1989 (S/20625, para. 8), continued to work well and to enable UNAVEM to record accurately all movement of Cuban military personnel and equipment into and out of Angola.

7. The net departures of Cuban military personnel in the period between 1 April and 30 September 1990 totalled 6,262 persons (of these, 721 departed in April, 1,904 in May, 500 in June, 34 in July, 2,178 in August and 925 in September). Total net departures recorded and verified by UNAVEM since the withdrawal of Cuban military personnel began on 10 January 1989 thus amount to 38,643 persons (see the annex to the present report). It will be recalled that under the terms of the bilateral agreement signed between Angola and Cuba on 22 December 1988 (see S/20345, appendix) a total of 38,000 Cuban troops (or 76 per cent of a Cuban military force of 50,000) were to have been withdrawn by 1 October 1990. As indicated above, this has been achieved.

8. In addition to the withdrawal of military personnel, tanks, armoured personnel carriers, towed and self-propelled artillery pieces, other military vehicles, bridging vehicles, engineering equipment, helicopters, ammunition and other war-like stores belonging to the Cuban forces in Angola have been withdrawn and have been recorded in detail by UNAVEM.

9. During the period covered by the present report, UNAVEM received no reports of the presence or suspected presence of Cuban troops at any location south of the adjusted 13th parallel.

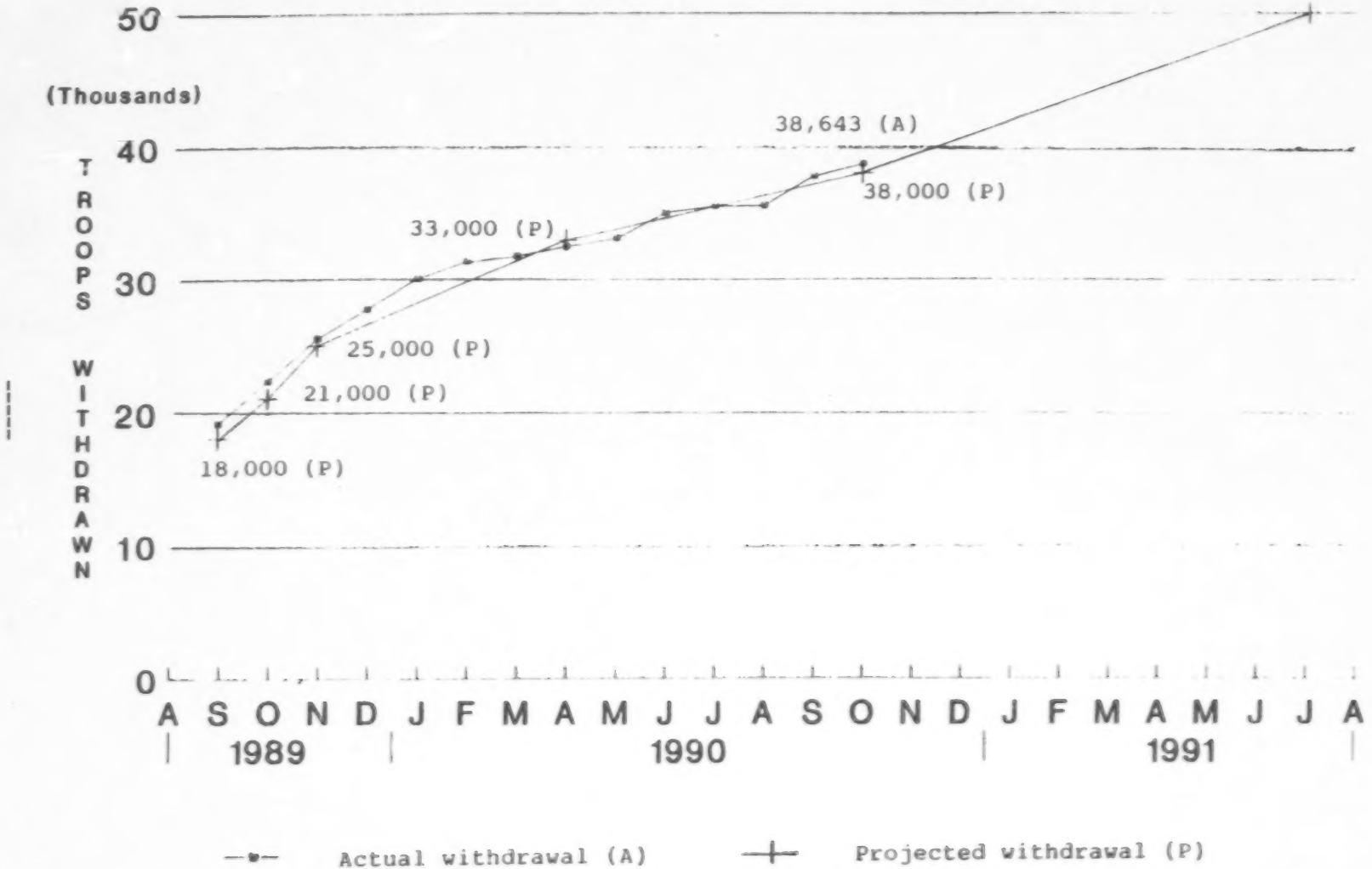
10. As with all peace-keeping operations, a fundamental condition of UNAVEM's ability to fulfil its mandate is that it should receive the full co-operation of the parties concerned, especially as regards the freedom of movement and other facilities that it requires to carry out its duties. In this regard, I am again pleased to report that both the Government of Angola and the Cuban military authorities in that country have continued to extend their full co-operation to UNAVEM. The Joint Commission (see S/20338, para. 9 (a)), whose mandate is to co-ordinate United Nations verification of the redeployment and withdrawal of Cuban troops and to resolve any problems that may arise, has continued to meet at regular intervals and has made an important contribution to the successful implementation of the UNAVEM mandate.

III. CONCLUDING REMARKS

11. As reflected above, UNAVEM has continued to carry out effectively the tasks entrusted to it by the Security Council in December 1988. Its success in carrying out its mission again demonstrates what can be achieved by a United Nations peace-keeping operation when it receives the full co-operation of the parties concerned. Credit for this is also due to the Governments that have contributed military observers to UNAVEM and to the Chief Military Observer, Brigadier-General Péricles Ferreira Gomes, and the military and civilian staff under his command for the energy and skill with which they have continued to perform their tasks.

Annex

Number of troops withdrawn as at 30 September 1990 and projected withdrawal to 30 June 1991



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Security Council

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S/21861
10 October 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 10 OCTOBER 1990 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of an incident involving the vessel Al-Wasiti on the morning of 8 October 1990 when bound from the port of Aden and arriving off the Omani coast at a distance of 50 miles south-west of the port of Muscat. The incident took place as follows:

1. The vessel was surrounded by four warships (one American, one Australian and two British) and requested to halt. On its refusal to comply, the warships fired across the bows and mid-section of the vessel from 0715 to 0815 hours, each ship firing in turn.

2. A force was then landed by helicopter on the bow of the vessel. It consisted of 12 persons, all of them British, one of whom was wounded when he struck the vessel.

3. The force demanded to be allowed to inspect the holds of the vessel. The captain refused, and the vessel continued on its way.

4. The vessel was then boarded by a force of nine Americans. They confined all of the crew in the galley and then demanded once again to be allowed to conduct a search and to be shown the ship's papers.

5. At 1015 hours the captain of the vessel informed us that the boarding party had begun to leave after having carried out the inspection.

The Iraqi Government lodges its strong protest at and declares its condemnation of such acts of aggression carried out by foreign forces against civilian Iraqi vessels, and it calls upon the international community to take adequate measures to prevent their recurrence.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Sabah Talat KADRAT
Chargé d'affaires a.i.
Deputy Permanent Representative